



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MEB/AS
F. #2018R00035

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 11, 2020

By ECF

The Honorable Margo K. Brodie
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Nerayoff et al.
Criminal Docket No. 20-0008 (MKB)

Dear Judge Brodie:

The parties jointly submit this letter to respectfully request that the Court adjourn the status conference—currently scheduled for June 17, 2020—to the first week of August or any time thereafter convenient for the Court. If the Court is not inclined to adjourn the status conference, the parties jointly request that they appear by telephone.

The parties appeared for the first status conference in this matter on February 26, 2020. The government notified the Court that it had produced discovery to the defendants, and that the defendants required time to review that discovery as well as to begin engaging in plea negotiations. As the parties noted in their last joint request for an adjournment (which the Court granted), ECF No. 45, the COVID-19 pandemic has hindered the parties' ability to continue their plea negotiations, particularly because neither defendant resides in New York City. Nevertheless, the parties have spoken by telephone and believe that continued plea negotiations—particularly if New York City continues to reopen—could result in dispositions short of trial.

Finally, if the Court grants this application, the parties jointly request that the Court exclude time pursuant to 18 U.S.C. § 3161(h) in the interests of justice, to permit the parties to engage in plea negotiations.

Respectfully submitted,

RICHARD P. DONOGHUE
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cc: Counsel of Record (by ECF)